

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application. Please amend claims 1-6 and add new claims 7-9 as follows:

**Listing of Claims**

1. (Currently Amended) A recording apparatus capable of generating management data for a management unit so that a system stream with an audio stream and a video stream multiplexed therein can be managed as one recording recorded unit from a recording start to a recording end corresponding to the recording start and also a plurality of recording recorded units can be managed as another management unit, and also recording the system stream and management data for the another management unit, the recording apparatus comprising:

~~characterized in that generating device generating determination data for determination changing each time data corresponding to said recording recorded unit is recorded in the recording medium, said determination data is generated based on the management data and said generating device recording said determination data is recorded in the recording medium; and~~

~~determining device comparing said determination data for determination recorded in the recording medium is compared to the management data recorded in the recording medium for the last recorded unit to determine a type of recording apparatus having recorded the last recording recorded unit for data recorded last, and switching said management unit is switched according to a result of said determination the determined type of recording apparatus.~~

2. (Currently Amended) The recording apparatus according to claim 1, ~~characterized in that wherein said determination data for determination is time information of said recording recorded unit recorded last in the recording medium.~~

3. (Currently Amended) The recording apparatus according to claim 2, characterized in that wherein said time information comprises the recording start time and recording end time.

4. (Currently Amended) The recording apparatus according to claim 1, characterized in that wherein said determination data for determination is assigned to said management data and is recorded in said recording medium.

5. (Currently Amended) A recording method for a recording medium enabling generation of management data for a management unit so that a system stream with an audio stream and a video stream multiplexed therein can be managed as one recording recorded unit from a recording start to a recording end corresponding to the recording start and a plurality of recording recorded units can be managed as another management unit, and recording said system stream and said management data for the another management unit in [[a]] the recording medium, said method characterized in that it comprises comprising the steps of:

generating determination data for determination changing each time said recording recorded unit is recorded in said recording medium based on said management data and recording said determination data for determination in said recording medium; and

determining a type of recording apparatus having recorded said recording recorded unit recorded last by comparing said determination data for determination recorded in said recording medium to said management data recorded in said recording medium for the last recorded unit and switching said management unit based on a result of said determination.

6. (Currently Amended) A computer readable medium encoded with a program for a recording method for a recording medium for making a computer controlling operation of a recording apparatus execute a prespecified sequence of processing steps,

wherein said processing sequence is executed for generating management data for a management unit so that a system stream with an audio stream and a video stream multiplexed therein can be managed as one recording recorded unit from a recording start to a recording end corresponding to the recording start and also a plurality of recording recorded units can be managed as another management unit, and also for recording the system stream and management data for the another management unit in [[a]] the recording medium, said sequence characterized in that it comprises comprising the steps of:

generating determination data for determination changing each time said recording recorded unit is recorded in said recording medium based on said management data and recording said determination data for determination in said recording medium; and

determining a type of recording apparatus having recorded said recording recorded unit recorded last by comparing said determination data for determination recorded in said recording medium to said management data recorded in said recording medium for the last recorded unit and switching said management unit based on a result of said determination.

7. (New) The recording apparatus according to claim 1, wherein said determination data includes a manufacturer ID of the recording apparatus.

8. (New) The method according to claim 5, wherein said determination data includes a manufacturer ID of the recording apparatus.

9. (New) The computer readable medium according to claim 6, wherein said determination data includes a manufacturer ID of the recording apparatus.